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UNCLAS SECTION 01 OF 02 PANAMA 000417

SIPDIS

SENSITIVE

DEPARTMENT FOR WHA/CEN/BRIGHAM

E.O. 12958:N/A

TAGS: [PGOV](#) [PREL](#) [PINR](#) [PM](#) [POL](#) [SPECIALIST](#)

SUBJECT: PANAMA ELECTION COUNTDOWN #3: 10 WEEKS TO GO

REF: A. Panama 0298

[B.](#) Panama 0352

[C.](#) Panama 0076

We're Getting there

[¶1.](#) (U) Electoral Magistrates proudly announced that the electoral process is moving forward and is 70 percent complete. Among other things, The Electoral Tribunal must still select and train personnel to staff voting places and set aside space and staff for vote counting committees at the local and regional levels. Poloffs confirmed during a trip to Chiriqui Province (septel) that Electoral Tribunal headquarters are in constant communication with regional directors regarding campaign developments, training, and the distribution of information. Most of the regional electoral regional authorities have prior electoral experiences that will facilitate a smooth process and ease concerns about disorganization or fraud.

Press Ethics Pact

[¶2.](#) (SBU) Amid allegations of media favoritism toward certain presidential candidates, key members of all of Panama's print, radio and TV media signed a February 16 electoral ethics pact, promising to base their campaign coverage on peaceful and democratic values. The Electoral Tribunal Magistrates, the Electoral Prosecutor, members of National Ecumenical Council and the coordinator of the Ethics Pact signed by the four presidential candidates last January were all on hand to witness the event. No candidates or political representatives attended. The pact comes in the wake of allegations of favoritism towards opposition leader Martin Torrijos by La Prensa and MEDCOM TV Channels 2 and 4 and censorship of presidential candidate Guillermo Endara's political advertisements. (see paras 5-6) The pact aims to calm the waters between the press, the presidential candidates and their campaign managers.

The Fifth Ballot is Dead

[¶3.](#) (SBU) Early this week, Panama's Electoral Magistrates publicly urged against issuing a fifth ballot on constitutional reforms for the May 2 elections, claiming that there is not enough time to prepare. The bill to authorize a fifth ballot is languishing in the Legislative Assembly, which reconvenes on March 1. President Moscoso already has announced that she does not agree with including a referendum on constitutional reform in the May elections, further reducing the likelihood that she would sign or implement such a bill. (Reftel C)

[¶4.](#) (SBU) Presidential candidates who support calling a constituent assembly spoke up while the others kept their mouth shut. Endara and Martinelli attacked the Electoral Tribunal's position while frontrunner Martin Torrijos kept quiet since he and his party do not want a fifth ballot. Trapped between Moscoso's position and civil society's fervent calls for constitutional reforms, Arnulfista candidate Jose Miguel Aleman temporized, offering no comment. Having called for constitutional reforms in the early 90's and criticized Endara during the presidential debate for not rewriting the constitution when he had a chance, Aleman's weak response appeared inconsistent.

Battling for an icon

[¶5.](#) (U) Debate continues over the use of late President and Arnulfista Party namesake Arnulfo Arias' image. Electoral Magistrate Erasmo Pinilla had ruled in January that former President Endara could not use Arias' image in his campaign advertisements because current President Mireya Moscoso, Arias' widow, is the legal sole heir of Arias. Endara

complained that because as an ex-President and historical figure Arias' image doesn't belong to anyone. He railed against the Electoral Magistrates, stating to the press that they are "not very virile" for buckling to President Moscoso's will. Shortly after Endara's TV advertisement was removed from the air, Aleman released one centered on Arnulfo Arias.

16. (SBU) On February 18, contradicting Pinilla, Electoral Prosecutor Gerardo Solis said publicly that Moscoso had not inherited Arias' image with his estate. Solis continued that rights of image and honor cease when an individual dies. He also noted that Moscoso had abandoned any residual rights she might have had when she remarried after Arias' death. Endara, fed up with the situation, has already announced that he is not going to use Arias' image anymore "because it was only the first part of my public strategy." Arnulfista candidate Jose Miguel Aleman made angry public statements that the Endara group is planning an electoral fraud. (NOTE: Prosecutor Solis is the son of Endara's campaign manager, Jose Menalco Solis. END NOTE)

17. (SBU) Aleman's statements represent the first GOP allegations about fraud in the May 2 elections. Used to fraud allegations against themselves, GOP officials have insisted that they will respect election results. Aleman's strong remarks could be part of a new Arnulfistas strategy to discredit Endara. PolOffs learned from interlocutors that the Arnulfistas intend to launch frontal attacks on Endara instead of Torrijos so that the Arnulfistas end up "at least in second place."

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